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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Axel ULLRICH, et al.

Group Art Unit **unknown**

Serial No.: 10/506,962

Examiner: unknown

Filed: September 8, 2004

For: USE OF EGFR TRANSACTIVATION INHIBITORS IN HUMAN CANCER

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:


In response to the Notice to File Missing Parts dated February 28, 2005:

- ☒ Attached is a Declaration and Power of Attorney in compliance with 37 CFR § 1.53 along with the late filing surcharge of \$65.00
- ☐ Applicant(s) include the filing fee of \$750.00/\$375.00/\$160.00/\$80.00.
- ☐ Applicant(s) include the extra claims fee of \$ for claims in excess of 20 \$18/\$9 per additional claim, for independent claims in excess of 3 \$84/\$42 per additional claim, and/or \$280 for multiple dependent claims.
- ☒ Applicant(s) include an executed assignment and Recordation Form Cover Sheet with the recordation fee of \$40.00 (Check No. 24300).
- ☒ Attached is a copy of the Notice to File Missing Parts.
- ☐ Applicant(s) request that the time for taking action in this case be extended pursuant to 37 CFR 1.136(a) for a period of one/two/three/four/five month(s) along with the fee of \$110.00/\$410.00/\$930.00/\$1450.00/\$1970.00.
- ☒ Applicant(s) are entitled to small entity status.
- ☐ Attached is a verified English translation of the language text filed on along with the fee of \$130.00.
- ☐ Applicant(s) provide the title of the invention/inventor(s) name(s) and address(es) on the attached provisional application cover sheet along with the \$50/\$25 surcharge.

- ☐ Attached is the Sequence Disclosure as required.
- ☐ Attached is the Substitute Specification as required.
- ☐ Attached are the substitute drawings as required.
- ☐ Attached is an English translation of the application.
- ☐ Attached is a certified copy of French Application No.            filed on            .  
Acknowledgment of receipt of this document is hereby requested.

Attached is a check in the amount of \$ 65.00. However, the Commissioner is hereby authorized to charge fees under 37 CFR § 1.16 and § 1.17 which may be required to facilitate this filing, or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,



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Attorney/Agent for Applicants

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Attorney Docket No.: WEICKM-0041

Date: April 19, 2005

AJZ:ssr



CLIENT COPY

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS AND TRADEMARKS, P.C.  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/506,962

FIRST NAMED APPLICANT

Axel Ullrich

ATTY. DOCKET NO.

WEICKM-0041

INTERNATIONAL APPLICATION NO.

PCT/JP03/02361

LA. FILING DATE

03/07/2003

PRIORITY DATE

03/08/2002

23599

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.  
2200 CLARENDON BLVD.  
SUITE 1400  
ARLINGTON, VA 22201

ACTION RESPONSE NMR  
DUE DATE 4/28/05

CONFIRMATION NO. 6941

371 FORMALITIES LETTER



\*OC000000015292972\*

Date Mailed: 02/28/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/08/2004
- Copy of the International Search Report filed on 09/08/2004
- Preliminary Amendments filed on 09/08/2004
- Information Disclosure Statements filed on 09/08/2004
- Small Entity Statement filed on 09/08/2004
- U.S. Basic National Fees filed on 09/08/2004
- Priority Documents filed on 09/08/2004

CASE \_\_\_\_\_  
NAME \_\_\_\_\_  
FILING DATE \_\_\_\_\_  
PRIORITY DATE \_\_\_\_\_

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE, MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE

DM  
340-3

DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/506,962	PCT/JP03/02361	WEICKM-0041

FORM PCT/DO/EO/905 (371 Formalities Notice)